

TEMPORARY RESTRAINING ORDER CHECK LIST

- **A Motion for Temporary Restraining Order, when filed with a new Complaint, is filed in paper form in the Clerks Office. All parties must be present when the case is filed therefore the defendants should be given the exact date and time the case will be brought to the court. Reasonable time should be given for the defendants to appear. If the defendants choose not to appear, an affidavit is to be prepared that states the defendants' response to the notification. Pursuant to FRCP 65.**
- Pursuant to Local Rule 12.01, the attorney of record must be a member of the Eastern District of Missouri bar or have a Motion To Appear Pro Hac Vice.
- The attorney of record must sign all documents pursuant to FRCP11.
- Motion For Temporary Restraining Order with a Memorandum in Support and a Proposed Order.
- Bond. If a surety bond is being posted, the cashier will check the Federal Registry to make sure the surety company is listed. The court requires a current certified Certificate of Authority from the Missouri Division of Insurance is on file and the Attorney-in-Fact has registered with this court.
- A proposed Bond Order to be signed by the judge who will determine the amount of the bond to be posted.
- The Complaint. (Please do not include the Motion For Temporary Restraining Order in the body of the Complaint.)
- The Original Filing Form (Designation Sheet) must be completed. If the case has been previously filed, the previous presiding judge and the case number must be listed on this form. (LR 2.02B)
- Service (RULE 4 FRCP) effected by Waiver of Service of Summons - submit two completed waiver of service of summons for each defendant
- Service (RULE 4 FRCP) effected by Summons - submit two summons for each defendant and file one Notice of Process Server Form for each process server
- Service upon the U.S. Government - submit two completed summons for the U.S. government agency, the U.S. Attorney and the U.S. Attorney General. The government is exempt from service by waiver of service of summons. Service is effected by certified or registered mail. (RULE 4(i) FRCP)
- When an order is issued directing the U.S. Marshal to serve a Temporary Restraining Order, the U.S. Marshal requires a completed U.S. MARSHAL FORM 285. In this instance they will serve the Summons and Complaint with the Temporary Restraining Order.
- The Civil Cover Sheet: Please complete all sections.
- A Disclosure of Corporate Interests Certificate form must be filed if the plaintiff is a corporation. (RULE 7.1 FRCP)
- If the defendant is a corporation, a blank Disclosure of Corporate Interests Certificate form must be included with the service documents.
- **The FEE for filing a civil case is \$350.00.** This court now accepts payment by cash, credit card or check. If making payment by a check, the check should be made payable to "Clerk U.S. District Court."